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## FACSIMILE COVER SHEET

Date: November 3, 2003

To: Examiner Peter Paras  
Fax No: (703) 872 9306From: John Murray  
Tel. No: 312 321 4229

Client No: 8642/91

No. of Pages  
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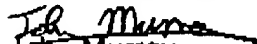
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A Professional Corporation  
Intellectual Property AttorneysNBC Tower - Suite 3600  
455 N. Cityfront Plaza Drive  
Chicago, Illinois 60611-5599  
Facsimile 312-321-4299  
Telephone 312-321-4200San Jose, CA  
Indianapolis, IN  
Ann Arbor, MI  
Arlington, VA

## COVER MESSAGE:

Re: U.S. Patent Application Serial Number 09/663,889  
KITS FOR SITE-SPECIFICALLY TRANSFORMING CELLS IN VIVO -  
Gary J. Nabel et al.  
Filed: September 18th, 2000  
Our Case No. 8642/91

The attached copy of a Request of Continued Examination, Amendment, and Petition of an Extension of Time is submitted at the request of Examiner Peter Paras. The original papers were mailed on August 5, 2003.

  
John Murray  
Reg. No 44,251

TO: BROCKHUIS, JEFF

CHECKED

PROCESSED

DATE/COMPLETION

ENTERED IN WORKING CASE

**NOTICE OF MAILING TO PATENT OFFICE**

Applicant: GARY J. NABEL ET AL.  
Serial No.: 09/663,889  
Client/Matter: 8642/91  
Items Mailed: Transmittal letter (2), Petition and Fee for Extension of Time (2), check for \$410, Request for Continued Examination (2), check for \$750, Amendment and Request for Continued Examination and return postcard.  
DUE DATE:  
Date of Mailing: August 5, 2003

Serial No. 09/663,889  
Applicant: GARY J. NABEL ET AL.  
Client/Matter No.: 8642/91

Commissioner for Patents  
P O Box 1450  
Alexandria, VA 22313-1450

Please acknowledge receipt of the below identified:

Items Mailed: Transmittal letter (2), Petition and Fee for Extension of Time (2), check for \$410, Request for Continued Examination (2), check for \$750, Amendment and Request for Continued Examination and return postcard.

BRINKS HOFER GILSON & LIONE  
By: John Murray, Ph.D., Reg. No. 44,251  
Date of Mailing: August 5, 2003

TRANSMITTAL LETTER			Case No. 8642/91
Serial No. 09/663,889	Filing Date September 18, 2000	Examiner P. Paras	Group Art Unit 1632
Inventor(s) Gary J. Nabel et al.			
Title of Invention Kits For Site-Specifically Transforming Cells In Vivo			

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Amendment and Request for Continued Examination, Request for Continued Examination (2), check for \$750, and return postcard.

- ☐ Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.
- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Petition for a two month extension of time and \$410 check.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

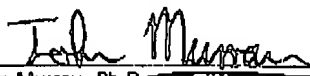
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 42 =	
+ \$140 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$84 =	
+ \$280 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1926 (BRINKS HOFER GILSON & LIONE) in the amount of \$\_\_\_\_. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1926. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1926. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
 John Murray, Ph.D.  
 Registration No. 44,251  
 Attorney for Applicant  
 Customer No. 00757 - Brinks Hofer Gilson Lione

BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, ILLINOIS 60610  
 (312) 321-4200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 5, 2003.

Date: August 5, 2003 Signature: John Murray

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John Murray  
Name of applicant, assignee or  
Registered Representative

John Murray  
Signature  
August 5, 2003  
Date of Signature

OFFICIAL

Case No. 8642/91

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary J. Nabel et al.

Serial No: 09/663,889

Examiner: P. Paras

Filed: September 18, 2000

Group Art Unit: 1632

For: KITS FOR SITE-SPECIFICALLY  
TRANSFORMING CELLS IN VIVO

## REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

Applicant requests continued examination under 37 CFR § 1.114.



Applicant is:



a small entity, verified statement is:



attached



already filed



other than small entity

- ☒ The fee set forth in § 1.17(e) must be filed along with this request:
- ☒ Attached is a check for the § 1.17(e) fee.
- ☐ Charge the § 1.17(e) fee to Deposit Account No. 23-1925. A duplicate copy of this request is attached.
- ☒ A submission must be filed along with this request. The following submission(s) is(are) filed herewith:
- ☐ An Information Disclosure Statement
- ☒ An Amendment to the written description, claims, or drawings
- ☐ New Arguments and/or New Evidence in Support of Patentability
- ☐ Other: \_\_\_\_\_
- ☒ A petition and fee for an extension of the time is enclosed herewith.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the additional claims fee is enclosed.
- ☒ Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this request is attached.

Respectfully submitted,

Dated: August 5, 2003

John Murray  
John Murray  
Registration No. 44,251  
Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312) 321-4229



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on August 5, 2003

Date of Deposit

John Murray

Name of applicant, assignee or  
Registered Representative

John Murray

Signature

August 5, 2003

Date of Signature

Case No. 8642/91

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary J. Nabel et al.

Serial No: 09/663,889

Examiner: Paras Jr, Peter

Filed: Sept 18, 2000

Group Art Unit: 1632

For: KITS FOR SITE-SPECIFICALLY  
TRANSFORMING CELLS IN  
VIVO

PETITION AND FEE FOR EXTENSION OF TIME (37 CFR § 1.136(a))

MAIL STOP RCE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

Dear Sir:

This is a petition for an extension of the time to respond to an Office Action dated March 11, 2003 for a period of two month(s).

- ☐ Applicant is:
- ☐ a small entity, verified statement is:
- ☐ attached
- ☐ already filed

Case No. 8642/91☒ other than small entity

	<u>Extension Months</u>	<u>Other Than Small Entity</u>	<u>Small Entity</u>
<input type="checkbox"/>	One Month	\$110	\$55
<input checked="" type="checkbox"/>	Two Months	\$410	\$205
<input type="checkbox"/>	Three Months	\$930	\$465
<input type="checkbox"/>	Four Months	\$1,450	\$725
<input type="checkbox"/>	Five Months	\$1,970	\$985

**Fee Payment**

- ☒ Attached is a check for \$410 for the Petition fee.
- ☐ Charge Petition fee to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.
- ☒ Charge any additional fee required or credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Petition is attached.

Respectfully submitted,

Dated: August 5, 2003

John Murray  
 John Murray, Ph. D.  
 Registration No. 44,251  
 Attorney for Applicant

BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610  
 (312)321-4200

Rev. Oct.-00  
 Document2



**BRINKS HOFER GILSON & LIONE**

**Date: 07/23/2003**

Check No. 322186

SHAW-WALKER ENGINEERING & CONSTRUCTION					Date: 07/23/2003	Check No. 322186
Invoice Number	Inv. Date	Code	Account	Invoice Amount	Description	
38875	07/23/2003	41	08642.00091	\$ 410.00	TWO MONTH EXTENSION OF TIME	

**Vendor No. 3024 - COMMISSIONER OF PATENTS AND TRADEMARKS**

KAREN MUNDO 35